

## **2013 DRAFTING REQUEST**

### **Bill**

Received: <b>3/14/2014</b>	Received By: <b>mkunkel</b>
Wanted: <b>As time permits</b>	Same as LRB:
For: <b>Katrina Shankland (608) 267-9649</b>	By/Representing: <b>Annika</b>
May Contact:	Drafter: <b>mkunkel</b>
Subject: <b>State Govt - miscellaneous</b>	Addl. Drafters:
	Extra Copies: <b>EVM</b>

Submit via email: **YES**  
 Requester's email: **Rep.Shankland@legis.wisconsin.gov**  
 Carbon copy (CC) to:

### **Pre Topic:**

No specific pre topic given

### **Topic:**

Federal heating assistance benefits to low-income households

### **Instructions:**

See attached

### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 3/14/2014			_____			
/1	mkunkel 3/17/2014	wjackson 3/14/2014	rschluet 3/14/2014	_____	lparisi 3/14/2014	lparisi 3/14/2014	
/2		wjackson 3/17/2014	jmurphy 3/17/2014	_____	mbarman 3/17/2014	mbarman 3/17/2014	

FE Sent For:

→ Not  
Needed

<END>

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/2		wjackson 3/17/2014	jmurphy 3/17/2014	_____	mbarman 3/17/2014		

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/1		wjackson 3/14/2014	rschluet 3/14/2014	_____	lparisi 3/14/2014	lparisi 3/14/2014	

FE Sent For:

*12WJ 3/17*

*jm 3/17*

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/1		wjackson 3/14/2014	rschluet 3/14/2014	_____	lparisi 3/14/2014		

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/?	mkunkel	1 WLj 3/14		_____			
			3/14/14	_____			

FE Sent For:

<END>

## **Kunkel, Mark**

---

**From:** Kunkel, Mark  
**Sent:** Friday, March 14, 2014 11:12 AM  
**To:** Petty, Annika  
**Subject:** RE: Energy Assistance bill

Annika:

After talking to LFB, it looks like the bill just needs to amend the statute (s. 16.27 (5) (e)) that provides the \$1 federal heating assistance to certain low-income households. The bill would substitute \$20 for that \$1.

LFB will have to figure out how to implement that statutory change, so you might want to share the bill with them. Upon review, LFB might want additional changes, but you could always do those by amendment. It's also possible that no other statutory changes are necessary, and the bill might be okay as is.

I'll get the bill to you this afternoon.

FYI Sam Austin at the LFB is a good source for info on this issue.

--Mark

---

**From:** Petty, Annika  
**Sent:** Friday, March 14, 2014 10:50 AM  
**To:** Kunkel, Mark  
**Subject:** RE: Energy Assistance bill

Yes, that sounds great - thanks for looking into it with LFB! Does this still sound like something that could be drafted by the end of the day? Thanks for accommodating our short timeline.

**Annika L. Petty**  
Office of Rep. Katrina Shankland  
71<sup>st</sup> Assembly District  
(608) 267-9649

[apetty@legis.wisconsin.gov](mailto:apetty@legis.wisconsin.gov)

---

**From:** Kunkel, Mark  
**Sent:** Friday, March 14, 2014 10:41 AM  
**To:** Petty, Annika  
**Subject:** RE: Energy Assistance bill

It will take time for me to sort out the details, but it looks like you want to require the state to provide more assistance to certain low-income families under the Wisconsin Home Energy Assistance Program (WHEAP), which is funded from federal block grants under the federal Low-Income Home Energy Assistance Program (LIHEAP).

I had mentioned a different program to you on the phone, which is a state-funded low income energy assistance program, which is funded by fees added to utility customer bills. However, that program does not appear relevant to this issue. Instead, you want to require the state to give more federal money to certain low-income households. That sounds do-able, but I need to contact Legislative Fiscal Bureau to get some info on how to accomplish your result. Is that okay?



--Mark

---

**From:** Petty, Annika  
**Sent:** Friday, March 14, 2014 10:10 AM  
**To:** Kunkel, Mark  
**Subject:** Energy Assistance bill

Hi Mark,

Here is a good article that sums up the situation: <http://www.columbian.com/news/2014/mar/04/ny-conn-bump-up-heat-aid-to-preserve-food-stamp-be/>

An article about Pennsylvania's actions: [http://articles.philly.com/2014-03-07/news/47975272\\_1\\_snap-benefits-food-stamps-heating-assistance](http://articles.philly.com/2014-03-07/news/47975272_1_snap-benefits-food-stamps-heating-assistance)

Our bill would increase heating assistance benefits so that all Wisconsinites receiving heating assistance receive a minimum of \$20 a year.

In PA, this money will be taken directly from the Low-Income Home Energy Assistance Program:

Last month, Congress changed the rules, stipulating in the Farm Bill that a family would have to have at least \$20 in heating assistance before receiving increased SNAP benefits.

Corbett committed to increase federal energy aid from \$1 to \$20. It will work this way:

The energy aid - known as LIHEAP (Low-Income Home Energy Assistance Program) - is federal money given to the state in the form of a block grant.

Corbett will use \$8 million from the block grant this year to cover the \$19 increase in LIHEAP stipulated by Congress.

No state money will be used.

The extra money taken from LIHEAP won't cut significantly into the fund, which normally runs a surplus at the end of each year, antihunger advocates said.

Could the same be done in Wisconsin?

Thanks!

Annika

**Annika L. Petty**  
Office of Rep. Katrina Shankland  
71<sup>st</sup> Assembly District  
(608) 267-9649

[apetty@legis.wisconsin.gov](mailto:apetty@legis.wisconsin.gov)

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CONGRESS

BUDGET BATTLE

WHITE HOUSE

HOT TOPICS: OBAMA'S BUDGET OBAMACARE POLITICS COUNTS FOLLOW @WSJWASHINGTON ON TWITTER

6:54 am  
Jan 28, 2014 CONGRESS

## How the New Farm Bill Cuts \$8 Billion From Food Stamps

ARTICLE

COMMENTS (11)

CONGRESS ENERGY FARM BILL FOOD STAMPS JIM MCGOVERN

Email

Print

By

Kristina Peterson

CONNECT

If there's one key number to the fate of the new five-year farm bill deal unveiled Monday night, it's the roughly \$8 billion cut over 10 years to food-stamp funding. Spending on nutrition programs sank an earlier version of the farm bill in the House and is considered the most partisan issue in the 949-page bill.

The new deal finds its food-stamp savings by increasing the level of federal heating assistance required to trigger higher benefits among recipients, according to aides.

Under the bill, a household would have to receive at least \$20 in annual payments through a federal energy assistance program to qualify for a utility allowance, which, when deducted from a household's income, can result in a larger food-stamp benefit. Some states currently give food-stamp recipients a nominal "heat and eat" payment of \$1 or another token sum to help households leverage larger food-stamp benefits.

Advocates of the change note that raising the energy-assistance threshold would not disqualify anyone from receiving food stamps.

"Congress did not intend for states to stretch the benefit rules this way and longstanding [food stamp] supporters like myself find it difficult to defend," said Robert Greenstein, president of the Center on Budget and Policy Priorities, a left-leaning think tank.

Critics say that it would mean struggling families would receive less assistance than they now do under the Supplemental Nutrition Assistance Program, known as SNAP.

"Instead of going after crop insurance or some of the excessive payments going to various interests that don't need them, they're using SNAP as an ATM machine," said Rep. Jim McGovern (D., Mass.), a member of the House Agriculture Committee who plans to vote against the bill. The new farm bill overall is expected to cut around \$23 billion from the federal budget deficit, largely through changes in farm support programs.

Other Democrats said the food-stamp cut won't likely derail the hard-fought bill from passing the House.

Rep. Marcia Fudge (D., Ohio), also a member of the agriculture panel, said she could live with the \$8 billion cut.

"It's a balanced bill, from what I know," said Ms. Fudge.

The \$8 billion cut marks a concession by Republicans, who last year passed a bill that would have cut nearly \$40 billion in spending from food stamps, after a bill with \$20 billion in cuts failed. The Senate farm bill contained a \$4 billion cut. Some Democrats later said they objected to any further reductions in nutrition funding after an increase in funding from the 2009 Recovery Act ended last year.

To soften the blow at both ends of the political spectrum, the bipartisan deal includes \$200 million in funding for 10 states to start work-training pilot programs and \$205 million in increased assistance for food banks, according to a committee aide.

CONGRESS ENERGY FARM BILL FOOD STAMPS JIM MCGOVERN

PREVIOUS  
How a Silicon Valley  
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State of the Union  
Challenge

LONG &amp; FOSTER

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size, effective October, 2012, through September, 2013. The minimum FoodShare benefit a household can receive is \$16.

**Table 2: Maximum Monthly Benefit, by Household Size**

*Effective October, 2012 through September, 2013*

Household Size	Maximum Benefit
1	\$200
2	367
3	526
4	668
5	793
6	952

For Each Additional Person, Add \$150

**Determining Net Income.** A household's benefit equals the maximum benefit in Table 2 minus 30% of net adjusted income. For FoodShare purposes, net adjusted income is calculated by subtracting the following credits from a household's gross monthly income.

**Standard Credit.** All households may deduct a standard credit from gross income, based on household size. Households with one to three people receive a standard credit of \$149, households with four people receive a standard credit of \$160, households with five people receive a standard credit of \$187, and households with six or more people receive a standard credit of \$214.

**Earned Income.** Households receive a credit equal to 20% of earned income. Earned income includes salaries, wages, commissions, tips, or payments for services.

**Medical Expenses.** EBD recipients receive a monthly medical expense credit equal to any out-of-pocket medical expenses that exceed \$35 per month. Examples of allowable medical expenses include medical and dental care, prescription or certain over-the-counter drugs, health insurance premiums, and certain home health care expenses.

**Child Care.** Individuals who pay for child care and who are employed or participate in work-related training or education may receive a child care credit. This credit cannot exceed actual child care expenses. In 2008, federal legislation eliminated limits on the monthly child care credits a household could claim.

**Child Support.** Individuals required to make court-ordered child support payments receive a credit equal to the amount of the required payment. Individuals in households that receive legally-owed child support must include the child support as income.

**Shelter Deduction and Utility Allowances.** Households may deduct shelter costs that exceed 50% of income after subtracting the other credits described above. Allowable shelter expenses include rent, mortgages, property taxes, mobile home lot rent and loan payments, insurance on the structure, special assessments, and condominium or condominium association fees.

In addition to the shelter costs, FoodShare participants can also claim certain utility allowances. Prior to April 1, 2009, households could claim one of the following utility allowances: heating standard utility allowance (HSUA), limited utility, electric, cooking fuel, phone, water/sewer, or trash collection. The amounts of these credits vary, and a household could claim no more than one credit. 2009 Wisconsin Act 28 provided that any FoodShare participating household would also automatically receive a federally-funded low-income home energy assistance program (LIHEAP) payment for heating assistance of no more than \$1. Under federal law, any household that receives a LIHEAP payment of any amount qualifies for the HSUA in the SNAP. The HSUA equals the sum of the utility credits listed above (\$442, effective October, 2012). As a result of this legislation, all FoodShare recipients can claim the full HSUA as a deduction to their gross income. ✓



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-4411/1

MDK:.....

Wlj

O-NO70

Today

2013 BILL

Gen Cat

1 AN ACT ...; relating to: eligibility for certain low-income energy assistance.

---

*Analysis by the Legislative Reference Bureau*

Under current law, the Department of Administration administers a federally funded program for providing heating assistance to low-income households. Current law provides that certain low-income households are eligible for a heating assistance benefit under that program in an amount of not more than \$1. This bill provides that those households are eligible for such a heating assistance benefit in an amount equal to \$20.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 1. 16.27 (5) (e) of the statutes is amended to read:  
3 16.27 (5) (e) A household that is not eligible under par. (c) that includes at least  
4 one person who is eligible for food stamps under 7 USC 2011 to 2036, excluding any  
5 household in an institution, as defined by the department of health services by rule.

**BILL****SECTION 1**

- 1       Notwithstanding sub. (6), a household under this paragraph shall be eligible for a  
2       heating assistance benefit of ~~not more than \$1~~ equal to \$20. ✓

**History:** 1985 a. 29 ss. 1055g, 2488h to 2488n; 1985 a. 176, 332; 1987 a. 27; 1989 a. 31, 359; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 2336, 3182 to 3207; Stats. 1995 s. 16.385; 1995 a. 77, 417; 1999 a. 9; 2003 a. 33 s. 162; Stats. 2003 s. 16.27; 2003 a. 321 s. 11; 2003 a. 327 s. 5; 2005 a. 25, 344; 2009 a. 11, 28.

3

**(END)**

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4411/1dn

MDK:.....

Wlj

Date

Rep. Shankland:

You may want LFB or DOA to review this bill to make sure that it achieves your intent.

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4411/1dn  
MDK:wlj:rs

March 14, 2014

Rep. Shankland:

You may want LFB or DOA to review this bill to make sure that it achieves your intent.

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.wisconsin.gov](mailto:mark.kunkel@legis.wisconsin.gov)

**Parisi, Lori**

---

**From:** Rep.Shankland  
**Sent:** Friday, March 14, 2014 4:05 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -4411/1 Topic: Federal heating assistance benefits to low-income households

This is a rush request. Thank you!

Please Jacket LRB -4411/1 for the ASSEMBLY.



## Kunkel, Mark

---

**From:** Kunkel, Mark  
**Sent:** Monday, March 17, 2014 11:56 AM  
**To:** Austin, Sam  
**Subject:** 2014 Farm Bill

Sam:

I think I found the language about the \$20 in the 2014 Farm Bill. Below is excerpt of the the act from Lexis. Section 4006 of the act amended 7 USC 2014 (e) (6) (C).

I will do a /2 for Rep. Shankland, that she should receive in the early afternoon.

--Mark

113 P.L. 79, \*; 128 Stat. 649;  
2014 Enacted H.R. 2642; 113 Enacted H.R. 2642

UNITED STATES PUBLIC LAWS  
113th Congress 2nd Session  
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PUBLIC LAW 113-79 [H.R. 2642]  
FEB. 07, 2014  
AGRICULTURAL ACT OF 2014

113 P.L. 79; 128 Stat. 649; 2014 Enacted H.R. 2642; 113 Enacted H.R. 2642

BILL TRACKING REPORT: 113 Bill Tracking H.R. 2642  
FULL TEXT VERSION(S) OF BILL: 113 H.R. 2642

[\*4006] Sec. 4006. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) Standard Utility Allowances In the Supplemental Nutrition Assistance Program.--Section 5(e)(6)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6)(C)) is amended--

(1) in clause (i), by inserting ", subject to clause (iv)" after "Secretary"; and

(2) in clause (iv), by striking subclause (I) and inserting the following:

"(I) In General.--Subject to subclause (II), if a State agency elects to use a standard utility allowance that reflects heating and cooling costs, the standard utility allowance shall be made available to households that received a payment, or on behalf of which a payment was made, under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) or other similar energy assistance program, if in the current month or in the immediately preceding 12 months, the household either received such a payment, or such a payment was made on behalf of the household, that was greater than \$ 20 annually, as determined by the Secretary."

(b) Conforming Amendment.--Section 2605(f)(2)(A) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)(A)) is amended by inserting before the semicolon the following: ", except that, for purposes of the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), such payments or allowances were greater than \$ 20 annually, consistent with section 5(e)(6)(C)(iv)(I) of that Act (7 U.S.C. 2014(e)(6)(C)(iv)(I)), as determined by the Secretary of Agriculture".

(c) Application and Implementation.--

(1) In General.-- Except as provided in paragraph (2), this section and the amendments made by this section shall--

(A) take effect 30 days after the date of enactment of this Act; and

(B) apply with respect to certification periods that begin after that date.

(2) State Option to Delay Implementation for Current Recipients.-- A State may, at the option of the State, implement a policy that eliminates or reduces the effect of the amendments made by this section on households that received a standard utility allowance as of the date of enactment of this Act, for not more than a 5-month period beginning on the date on which the amendments would otherwise apply to the respective household.

## Kunkel, Mark

---

**From:** Austin, Sam  
**Sent:** Monday, March 17, 2014 11:36 AM  
**To:** Kunkel, Mark  
**Subject:** LIHEAP/SNAP in Farm Bill

Hi Mark,

The provision I was looking at is in Section 4006 of the Farm Bill (pp. 359 and 360).

<http://agriculture.house.gov/sites/republicans.agriculture.house.gov/files/pdf/legislation/AgriculturalAct2014.pdf>

The USDA also had a release on this change that has the "greater than" language in it.

[http://www.fns.usda.gov/sites/default/files/LIHEAP\\_Implementation\\_Memo.pdf](http://www.fns.usda.gov/sites/default/files/LIHEAP_Implementation_Memo.pdf)

Thanks, and let me know if you agree with my read on this.

Sam

Sam Austin, Fiscal Analyst  
Wisconsin Legislative Fiscal Bureau  
1 E. Main Street, Suite 301  
Madison, WI 53703

Telephone: (608)266-3847  
Fax: (608)267-6873  
E-Mail: [Sam.Austin@legis.wisconsin.gov](mailto:Sam.Austin@legis.wisconsin.gov)



United States Department of Agriculture

Food and  
Nutrition  
Service

**MAR 05 2014**

3101 Park  
Center Drive  
Alexandria, VA  
22302-1500

**SUBJECT:** Supplemental Nutrition Assistance Program – Section 4006  
Agricultural Act of 2014 – Implementing Memorandum

**TO:** Regional Administrators  
Food and Nutrition Service

On February 7, 2014, the Supplemental Nutrition Assistance Program (SNAP) was reauthorized as part of The Agricultural Act (the Act) of 2014 (P.L. 113-79). Attached is an implementing memorandum describing Section 4006, "Standard Utility Allowances Based on the Receipt of Energy Assistance." Regulations reflecting revisions to SNAP associated with this provision made by the Public Law 113-79 will be published as soon as possible. An implementing memorandum describing the remaining SNAP provisions of the Act will be forthcoming.

Please forward the attached memorandum to your State commissioner. Please keep us advised of any implementation problems and how States plan to implement Section 4006.

If you have any questions, please contact Lizbeth Silbermann at [Lizbeth.Silbermann@fns.usda.gov](mailto:Lizbeth.Silbermann@fns.usda.gov).

A handwritten signature in black ink, appearing to read "Jessica Shahin", is written over a horizontal line.

Jessica Shahin  
Associate Administrator  
Supplemental Nutrition Assistance Program

## **Implementation Memo – Section 4006 of the Agricultural Act of 2014**

The Supplemental Nutrition Assistance Program (SNAP) was recently reauthorized as part of The Agricultural Act (the Act) of 2014 (P.L. 113-79) enacted February 7, 2014. The law contains various provisions that affect SNAP eligibility, benefits, and program administration.

This memorandum describes Section 4006 of the Act, entitled “Standard Utility Allowances Based on the Receipt of Energy Assistance Payments,” and the implementation action required for this provision.

Per SNAP regulations at 7 CFR 275.12(d)(2)(vii), Quality Control variances resulting from a change required by Federal law may be excluded from the analysis of QC errors for a period of 120 days from the required implementation date. States will be held harmless for 120 days from March 10, 2014, for errors occurring as a result of the implementation of this provision. The variance exclusion will end on July 8, 2014.

### **Section 4006. Standard Utility Allowances Based on the Receipt of Energy Assistance Payments.**

By way of background, the connection between the Low-Income Home Energy Assistance Program (LIHEAP) and SNAP was originally established in 1985 in order to provide a simpler way for States and applicants to determine household utility costs. Receipt of LIHEAP benefits is intended to serve as a reasonable proxy for the actual utility costs that a household incurs. As a result, in lieu of demonstrating actual utility costs, receipt of LIHEAP benefits may be used to trigger the higher heating and cooling Standard Utility Allowance (SUA), and thereby increase the SNAP deductions for which households may be eligible.

This relationship between LIHEAP and SNAP continues to serve as an important administrative simplification for States and households, easing the burden of documenting all household utility expenses while continuing to ensure that households most in need receive all the deductions to which they are entitled. FNS encourages States to move forward with implementation of section 4006 in a manner that adheres to the original intent and basis for the connection between LIHEAP and SNAP.

This provision requires that households receive a payment greater than \$20 annually in Low Income Heating Assistance Program (LIHEAP) benefits or in other similar energy assistance benefits in the current month or in the immediately

preceding 12 months in order to automatically qualify for the Standard Utility Allowance (SUA) based on receipt of LIHEAP. This change takes effect 30 days after enactment (March 10, 2014) and applies to certification periods that begin on or after that date (on or after March 10, 2014).

This provision was intended to prevent the issuance of nominal LIHEAP payments in order to automatically qualify SNAP households for the SUA. In addition, it strengthens the LIHEAP/SUA link by requiring that the household must have received an actual LIHEAP payment in order to use LIHEAP participation as the basis for the household's qualification for the SUA.

For new households, this provision must be implemented for certification periods beginning on or after March 10, 2014.

For their ongoing caseloads, States have the option to delay implementation for current recipients by up to five months beginning on the date on which the amendments would otherwise apply to the household. For most State agencies, this would apply to recertification periods that begin April 1, 2014. Further guidance regarding the available options and ways in which States may choose to implement the provision for ongoing households will be provided in Questions and Answers to be released shortly.

Households with actual utility expenses remain eligible for the SUA. For households that no longer qualify for the SUA based on receipt of LIHEAP, States must take steps to determine if a household qualifies for the SUA based on actual utility expenses. Furthermore, FNS encourages State agencies to review their current utility allowances, including the limited utility allowance and the single utility allowances to ensure that households with actual utility expenses are able to claim all of the deductions for which they are eligible.

This memorandum serves as notice to State agencies that, consistent with the time period normally provided to States for initiating and completing system changes, the Food and Nutrition Service will begin holding States accountable for implementing the changes associated with this provision 60 days from the issuance date of this memorandum.



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-4411/1  
MDK:wlj:rs

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2013 BILL

today  
now

O-NOTE

Regen

- 1 AN ACT to amend 16.27 (5) (e) of the statutes; relating to: eligibility for certain
- 2 low-income energy assistance.

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*Analysis by the Legislative Reference Bureau*

Under current law, the Department of Administration administers a federally funded program for providing heating assistance to low-income households. Current law provides that certain low-income households are eligible for a heating assistance benefit under that program in an amount of not more than \$1. This bill provides that those households are eligible for such a heating assistance benefit in an amount equal to ~~\$20.~~ \$21.

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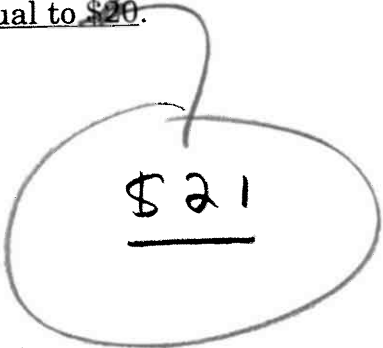
*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

- 3 SECTION 1. 16.27 (5) (e) of the statutes is amended to read:
- 4 16.27 (5) (e) A household that is not eligible under par. (c) that includes at least
- 5 one person who is eligible for food stamps under 7 USC 2011 to 2036, excluding any
- 6 household in an institution, as defined by the department of health services by rule.

**BILL**

1 Notwithstanding sub. (6), a household under this paragraph shall be eligible for a  
2 heating assistance benefit ~~of not more than \$1~~ equal to \$20.

3 (END)



\$21



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4411/2dn

MDK:/:....

WJ

Date

Rep. Shankland:

The previous version of the bill provided that the heating assistance benefit must be equal to \$20. However, after reviewing the language in the 2014 farm bill, I realized that, to accomplish your intent, the benefit must be greater than \$20, not equal to \$20. Therefore, in this version of the bill, I require the benefit to be equal to \$21.

As an alternative, you could require DOA to promulgate rules specifying an amount that is greater than \$20, but the rule-making process would add a delay to achieving your intent. Therefore, I decided to make the benefit equal to \$21.

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4411/2dn  
MDK:wlj:jm

March 17, 2014

Rep. Shankland:

The previous version of the bill provided that the heating assistance benefit must be equal to \$20. However, after reviewing the language in the 2014 farm bill, I realized that, to accomplish your intent, the benefit must be greater than \$20, not equal to \$20. Therefore, in this version of the bill, I require the benefit to be equal to \$21.

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Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.wisconsin.gov](mailto:mark.kunkel@legis.wisconsin.gov)

**Barman, Mike**

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**From:** LRB.Legal  
**To:** Rep.Shankland@legis.wisconsin.gov  
**Subject:** Draft review: LRB -4411/2 Topic: Federal heating assistance benefits to low-income households  
**Attachments:** 13-4411/2; DraftersNote1

**State of Wisconsin - Legislative Reference Bureau**  
**One East Main Street - Suite 200 - Madison**

**The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent.** If you have any questions concerning the draft or would like to have it redrafted, please contact Mark D. Kunkel, Senior Attorney, at (608) 266-0131, at [mark.kunkel@legis.wisconsin.gov](mailto:mark.kunkel@legis.wisconsin.gov), or at One East Main Street, Suite 200.

**We will re-jacket this draft for the Assembly and send it (by page) to your office this afternoon.**

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If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at [LRB.Legal@legis.wisconsin.gov](mailto:LRB.Legal@legis.wisconsin.gov) or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

**Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.**